

PROB 12C  
(7/93)

FILED

## UNITED STATES DISTRICT COURT

SEP 25 2023

for

WESTERN DISTRICT OF TEXAS

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY AM DEPUTY CLERK**Petition for Warrant or Summons for Offender Under Supervision**Name of Offender: Antonio Hernandez III Case Number: DR:18-CR-01614 (3)-AMName of Sentencing Judicial Officer: Honorable Alia Moses, Chief United States District JudgeDate of Original Sentence: January 16, 2020Original Offense: Conspiracy to Transport Illegal Aliens, in violation of 8 U.S.C. § 1324Original Sentence: 60 months imprisonment followed by a 3 year term of supervised releaseType of Supervision: Supervised Release Date Supervision Commenced: February 13, 2023Assistant U.S. Attorney: Izaak Philip Bruce Defense Attorney: Christina M. Norton (AFPD)**PREVIOUS COURT ACTION**

None.

**PETITIONING THE COURT**

- ☒ The issuance of a warrant  
☐ The issuance of a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1.	<b>Special Condition: The defendant shall abstain from the use of alcohol and any and all intoxicants.</b>
2.	<b>Mandatory Condition No. 2: The defendant shall not unlawfully possess a controlled substance.</b>
3.	<b>Mandatory Condition No. 3: The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release on probation or supervised release and at least two periodic drug tests thereafter (as determined by the court), but the condition stated in this paragraph may be ameliorated or suspended by the court if the defendant's presentence report or other reliable sentencing information indicates low risk of future substance abuse by the defendant.</b>

On June 15, 2023, and July 10, 2023, the offender submitted urine specimens which tested positive for cocaine. The offender subsequently admitted to the probation officer to the illicit drug use on both occasions.

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On August 1, 2023, the offender submitted a urine specimen which tested positive for cocaine.

On August 7, 2023, the probation officer made contact with the offender to discuss the positive drug test submitted on August 1, 2023. The offender subsequently admitted to the probation officer to the illicit drug use. The probation officer instructed the offender to report to the U.S. Probation Office in Midland, Texas, on August 8, 2023, for a drug test. At that point, the offender readily admitted to using cocaine on August 5, 2023, with some friends.

**U.S. Probation Officer Recommendation:** Despite being on supervised release and completing substance abuse treatment, it has not deterred the offender from possessing and using controlled substances. It is evident by the offender's noncompliance and disregard for the instructions set by the Court that the offender is not willing to comply with the conditions of his judgment. Therefore, it is respectfully recommended that a warrant be issued for the offender's arrest, and his term of supervised release be revoked.

The term of supervision should be:

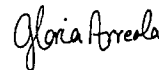
- ☒ revoked. (Maximum penalty: 2 years imprisonment; 3 years supervised release)
- ☐ extended for \_\_\_\_\_ years for a total term of \_\_\_\_\_ years

Approved by:



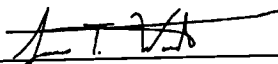
Darren P. Kohut  
Supervising U.S. Probation Officer

Respectfully submitted by:



Gloria Arreola  
U.S. Probation Officer  
Telephone: (830) 703-2089, ext. 6377  
Date: September 21, 2023

Approved:



James T. Ward  
Supervisory Assistant U.S. Attorney

cc: Andrew Gonzales  
Assistant Deputy Chief U.S. Probation Officer

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THE COURT ORDERS:

- ☒ No action.
- ☒ The issuance of a WARRANT. Bond is set in the amount of \$ Detain cash/surety with supervision by the United States Probation Office to continue as a condition of release.
- ☐ The issuance of a SUMMONS.
- ☐ Other \_\_\_\_\_
- 

  
\_\_\_\_\_  
Honorable Alia Moses  
Chief United States District Judge

9/25/23  
\_\_\_\_\_  
Date